

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roberto A. Gaxiola, Gerald R. Fink and Seth L. Alper

Application No.: 09/834,998      Group: 1638

Filed: April 13, 2001      Examiner: C.E. Collins

Confirmation No.: 4319

For: PROTON TRANSPORTERS AND USES IN PLANTS

## CERTIFICATE OF MAILING OR TRANSMISSION

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REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated March 21, 2003, the claims of Group VIII (Claims 65-73) drawn to a transgenic plant transformed with an exogenous nucleic acid which alters the expression of vacuolar pyrophosphatase and an Na<sup>+</sup>/H<sup>+</sup> antiporter, and a method of making a transgenic plant are elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

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An extension of time to respond to the Restriction Requirement is respectfully requested.  
A Petition for an Extension of Time and the appropriate fee are being filed concurrently.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated:

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